

“(III) may not be an employee of the government of such State; and

“(IV) shall be an expert in transportation policy, finance, public policy, planning or a related discipline associated with the purpose and mission of the Compact.

“(C) NO COMPENSATION.—Directors shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions of subchapter I of chapter 57 of title 5, United States Code.

“(3) PURPOSE.—The purpose of the Compact shall be to construct, on an accelerated basis, a North Atlantic Rail Network in order—

“(A) to provide clean, safe, coordinated and efficient high-speed and high-performance passenger rail transportation in the 7-State North Atlantic Rail Network region; including the improvement of existing intercity passenger rail services;

“(B) to reduce carbon emissions from auto and air transportation in such region in order to meet the greenhouse gas performance targets established under section 150(d) of title 23; and

“(C) to provide employment opportunities and economic development in the cities and regions served by a North Atlantic Rail Network.

“(4) STAFFING.—The directors and officers of the Compact may appoint and fix the pay of such personnel, as they consider necessary and appropriate, to advance the design and construction of a North Atlantic Rail Network.

“(5) COORDINATION.—The Compact, in designing and constructing a North Atlantic Rail Network, shall coordinate and cooperate with—

“(A) the Secretary of Transportation;

“(B) the Northeast Corridor Commission;

“(C) Amtrak;

“(D) State departments of transportation, regional transportation authorities, and other State-established entities, responsible for the provision of passenger rail in the North Atlantic Rail Network region; and

“(E) freight railroads that host passenger trains or operate freight trains over passenger rail lines within the territory.

“(b) NORTH ATLANTIC RAIL NETWORK.—

“(1) CREATION.—Notwithstanding the existing service along the Northeast Corridor, the Compact shall construct a North Atlantic Rail Network, which may include—

“(A) additional high-speed rail service between Boston and New York;

“(B) a high-performance network of intercity passenger rail transportation throughout the 7-State region; and

“(C) an integrated network of metropolitan passenger rail transportation coordinated with the high-speed rail service referred to in subparagraph (A).

“(2) AUTHORIZATIONS.—The Compact shall have the same authorities provided to interstate compacts in section 410 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 note), including—

“(A) receiving appropriations—

“(i) to plan, design, engineer, and acquire property (including railroad rights-of-way);

“(ii) to conduct competitive procurements;

“(iii) to enter into construction contracts;

“(iv) to form project labor agreements; and

“(v) to construct a North Atlantic Rail Network;

“(B) utilizing all design-build and other alternative procurement policies and practices approved by the Department of Transportation;

“(C) utilizing existing authorities to expedite reviews for infrastructure investment within existing rights of way under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(D) contracting with Amtrak, State departments of transportation, or related operating entities within the 7-State North Atlantic Rail Network region to design or construct elements of a North Atlantic Rail Network.

“(3) COMMENCEMENT OF OPERATIONS.—The Compact shall commence operations and be eligible for appropriated funding in any State that has ratified the Compact, upon the ratification of a minimum of 2 states of the Compact.

“(4) RESPONSIBILITIES.—If a State department of transportation or its related operating entity owns the right-of-way for a rail line segment within a North Atlantic Rail Network, such department or entity shall be responsible for the design and construction of improvements on such segment of a North Atlantic Rail Network.

“(5) WORK PERFORMED ON RIGHT-OF-WAY.—Notwithstanding paragraph (2)(D), all work done in existing rail right-of-way shall be performed only in accordance with the rail collective bargaining agreements applicable to work performed on such right-of-way.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 249 of title 49, United States Code, is amended by inserting after the item relating to section 24905 the following:

“24905A. North Atlantic Rail Interstate Compact; North Atlantic Rail Network.”

(c) SUNSET.—Upon the earlier of the completion of the construction of all of the elements of a North Atlantic Rail Network created pursuant to subsection (b)(1) of section 24905A of title 49, United States Code, as added by this Act, or the date that is 20 years after the date of the enactment of this Act—

(1) the North Atlantic Rail Interstate Compact established pursuant to subsection (a)(1) of such section shall be dissolved; and

(2) the assets of the North Atlantic Rail Interstate Compact shall be transferred to Amtrak.

SA 2143. Mr. Kaine submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

“(t) STATE OF GOOD REPAIR.—

“(1) IN GENERAL.—The Secretary shall not approve any project funded, in whole or in part, with funds apportioned pursuant to section 104(b) that will result in new through travel lanes for single occupancy vehicles, excluding auxiliary lanes and high occupancy vehicle toll lanes pursuant to section 166, unless the State or project sponsor—

“(A) has demonstrated progress in achieving a state of good repair as required by the State’s asset management plan under section 119(e) of this title;

“(B) demonstrates that the project—

“(i) supports the achievement of performance targets of the State established under section 150; and

“(ii) is more cost effective, as determined by benefit-cost analysis, than—

“(I) an operational improvement to the facility or corridor;

“(II) the construction of a public transportation project eligible for assistance under chapter 53 of title 49; and

“(III) the construction of a non-single occupancy passenger vehicle project that improves freight movement; and

“(C) has a public plan for maintaining and operating the new asset while continuing progress of the State or project sponsor in achieving a state of good repair under subparagraph (A).

“(2) BENEFIT-COST ANALYSIS.—In carrying out paragraph (1)(B)(ii), the Secretary shall establish a process for analyzing the cost and benefits of projects under that paragraph, ensuring that—

“(A) the benefit-cost analysis includes a calculation of all the benefits addressed in the performance measures established under section 150;

“(B) the benefit-cost analysis includes a consideration of the total maintenance cost of an asset over the lifecycle of the asset; and

“(C) the State demonstrates that any transportation demand modeling used to calculate the benefit-cost analysis is based on retrospective analysis of the accuracy of past forecasting and calibration to real-world conditions or has a documented record of accuracy.

“(3) SAVINGS CLAUSE.—The provisions of this subsection shall not apply to any project that is fully funded in an adopted State transportation improvement program as of the date of enactment of this subsection.”

SA 2144. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2160, between lines 17 and 18, insert the following:

(F) The eligible entity has demonstrated that the middle mile infrastructure will connect historically black colleges and universities and minority service institutions with other such colleges, universities, and institutions for collaboration and resource sharing.

SA 2145. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2173, strike line 24 and all that follows through page 2174, line 11, and insert the following:

“(A) IN GENERAL.—A participating provider shall allow an eligible household to apply the affordable connectivity benefit to any internet service offering of the participating provider at the same terms available to households that are not eligible households.

SA 2146. Mr. WICKER submitted an amendment intended to be proposed to

amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2081, strike line 3 and all that follows through “(3)” on line 7 and insert the following:

Act”); and

(2)

SA 2147. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 90008.

SA 2148. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2191, strike line 6 and all that follows through page 2192, line 12, and insert the following:

(b) NOTICE OF INQUIRY.—Not later than 2 years after the date of enactment of this Act, the Commission shall initiate a notice of inquiry examining obstacles to equal access to broadband internet access service, taking into account the issues of technical and economic feasibility presented by that objective, including—

(1) preventing digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin; and

(2) identifying necessary steps for the Commissions to take to eliminate discrimination described in paragraph (1).

SA 2149. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2162, strike line 10 and all that follows through page 2163, line 19, and insert the following:

(i) USE OF MOST RECENT DATA.—In mapping out gaps in broadband coverage, an eligible

entity that uses a middle mile grant to build out terrestrial or fixed wireless middle mile infrastructure shall use the most recent broadband mapping data available from the FCC fixed broadband map.

SA 2150. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2052, strike line 15 and all that follows through page 2053, line 16, and insert the following:

(f) USE OF FUNDS.—An eligible entity may use grant funds received under this section to competitively award subgrants for—

(1) unserved service projects and underserved service projects;

(2) connecting eligible community anchor institutions; and

(3) installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building, with priority given to a residential building that—

(A) has a substantial share of unserved households; or

(B) is in a location in which the percentage of individuals with a household income that is at or below 150 percent of the poverty line applicable to a family of the size involved (as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) is higher than the national percentage of such individuals.

Beginning on page 2053, strike line 18 and all that follows through page 2054, line 23, and insert the following:

(1) SUBGRANTEE OBLIGATIONS.—A subgrantee, in carrying out activities using amounts received from an eligible entity under this section—

(A) shall adhere to quality-of-service standards, as established by the Assistant Secretary;

(B) shall incorporate best practices, as defined by the Assistant Secretary, for ensuring reliability and resilience of broadband infrastructure; and

(C) may not use the amounts to purchase or support—

(i) any covered communications equipment or service, as defined in section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1608); or

(ii) fiber optic cable and optical transmission equipment manufactured in the People's Republic of China.

Beginning on page 2060, strike line 17 and all that follows through page 2061, line 2, and insert the following:

(D) NTIA AUTHORITY.—The Assistant Secretary may modify the challenge process required under subparagraph (A) as necessary.

On page 2071, strike lines 1 through 7 and insert the following:

(6) RETURN OF FUNDS.—An entity that receives a subgrant from an eligible entity under subsection (f) and fails to comply with any requirement under this subsection during the pendency of the grant shall, after being provided a reasonable opportunity to cure the violation, return an amount of the subgrant that is proportional to the gravity of the violation, up to the entire amount of the subgrant, to the eligible entity, at the discretion of the eligible entity or the Assistant Secretary.

On page 2080, strike lines 3 through 21 and insert the following:

(n) JUDICIAL REVIEW.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to review a decision of the Assistant Secretary made under this section.

SA 2151. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ . GRANTS FOR BROADCAST INTERNET AND PUBLIC TELEVISION.

(a) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) CONSTRUCTION PERMIT.—The term “construction permit” has meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(4) COVERED GRANT.—The term “covered grant” means a grant awarded under subsection (b).

(5) ELIGIBLE BROADCASTER.—The term “eligible broadcaster” means a commercial or noncommercial broadcast television licensee or permittee that was, before the date of enactment of this Act—

(A) licensed by the Commission; or

(B) granted a construction permit for a station.

(6) LICENSEE.—The term “licensee” has the meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(7) PERMITTEE.—The term “permittee” means the holder of a television construction permit granted by the Commission.

(8) PUBLIC TELECOMMUNICATIONS ENTITY; PUBLIC TELECOMMUNICATIONS FACILITIES; PUBLIC TELECOMMUNICATIONS SERVICES.—The terms “public telecommunications entity”, “public telecommunications facilities”, and “public telecommunications services” have the meanings given those terms in section 397 of the Communications Act of 1934 (47 U.S.C. 397).

(b) BROADCAST INTERNET AND PUBLIC BROADCASTING GRANTS.—

(1) IN GENERAL.—The Assistant Secretary shall establish a program, to be known as the “Broadcast Internet and Public Broadcasting Grant Program”, under which the Assistant Secretary makes grants—

(A) to eligible broadcasters to facilitate the construction of or reasonable upgrades to facilities of those eligible broadcasters to enable the offering of broadcast services utilizing the ATSC 3.0 broadcast television standard, including datacasting enabled by ATSC 3.0, as permitted under section 336 of the Communications Act of 1934 (47 U.S.C. 336) and parts 73 and 74 of title 47, Code of Federal Regulations;

(B) to eligible broadcasters to facilitate the construction of or reasonable upgrades to facilities of those eligible broadcasters to